



RON CHAPMAN, MD, MPH  
Director & State Health Officer

State of California—Health and Human Services Agency  
**CALIFORNIA DEPARTMENT OF PUBLIC HEALTH**



EDMUND G. BROWN JR.  
Governor

October 11, 2013  
Certified Mail/Return  
Receipt Requested  
7010 1060 0000 5278 6728

Elk Creek CSD  
P.O. Box 117  
Willows, CA 95988


Attention: Arnold Kjer, Operator

**Subject: Public Water System No. 1100616 – Citation No. 21-13C-014 for September 2013  
Exceedance of the Bacteriological Maximum Contaminant Level**

Enclosed is a citation issued to the Elk Creek Community Services District (District). The citation is being issued because the District failed to comply with the drinking water standard for total coliform bacteria during September 2013. Please be aware that the Directives section of the citation contains required actions that must be taken by the District.

Note that Section 116577 of the California Safe Drinking Water Act provides for our Department to be reimbursed by the public water system for costs incurred for preparing and issuing a citation to that system. In accordance with Section 116577, the District will be billed for the preparation and issuance of this citation. Our current costs are approximately \$126 per hour. The estimated time to prepare the citation is one hour.

If you have any questions regarding this matter, please call staff engineer Ray Bruun at (530) 224-3252 or me at (530) 224-4800.

  
Reese B. Crenshaw, P.E.  
Valley District Engineer  
DRINKING WATER FIELD  
OPERATIONS BRANCH

Enclosures

cc: Glenn County Environmental Health Department

1 **Citation No. 21-13C-014**

2  
3 STATE OF CALIFORNIA  
4 DEPARTMENT OF PUBLIC HEALTH

5  
6 **Public Water System:** Elk Creek Community Services District

7 **Water System No.:** 1100616

8  
9 **To:** Elk Creek Community Services District  
10 Attention: Arnold Kjer, Operator  
11 P.O. Box 117  
12 Willows, CA 95988

13  
14 **Issued:** October 11, 2013  
15 VIA CERTIFIED MAIL

16  
17 **CITATION FOR NONCOMPLIANCE**  
18 **With Title 22 California Code of Regulations**  
19 **Section 64426.1(b)**

20  
21 Section 116650 of the California Health and Safety Code (CHSC) authorizes the  
22 issuance of a citation for failure to comply with a requirement of the California Safe  
23 Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with  
24 Section 116270), or any regulation, standard, permit, or order issued thereunder.

25  
26 The Division of Drinking Water and Environmental Management of the California  
27 Department of Public Health (Department) hereby issues a citation to the Elk Creek



1 Community Services District (District) for failure to comply with Section 64426.1(b),  
2 Title 22, of the California Code of Regulations (CCR).

3  
4 **APPLICABLE AUTHORITIES**

5 Section 116650 of the CHSC states in relevant part:

6  
7 (a) If the department determines that a public water system is in  
8 violation of this chapter or any regulation, permit, standard, citation,  
9 or order issued or adopted thereunder, the department may issue a  
10 citation to the public water system. The citation shall be served upon  
11 the public water system personally or by certified mail. Service shall  
12 be deemed effective as of the date of personal service or the date of  
13 receipt of the certified mail. If a person to whom a citation is directed  
14 refuses to accept delivery of the certified mail, the date of service  
15 shall be deemed to be the date of mailing.

16  
17 (b) Each citation shall be in writing and shall describe the nature of the  
18 violation or violations, including a reference to the statutory  
19 provision, standard, order, citation, permit, or regulation alleged to  
20 have been violated.

21  
22 (c) A citation may specify a date for elimination or correction of the  
23 condition constituting the violation.

24  
25 (d) A citation may include the assessment of a penalty as specified in  
26 subdivision (e).

27



1 (e) The department may assess a penalty in an amount not to exceed  
2 one thousand dollars (\$1,000) per day for each day that a violation  
3 occurred, and for each day that a violation continues to occur. A  
4 separate penalty may be assessed for each violation.

5  
6 Section 64426.1(b), Title 22, of the CCR states in relevant part:

7  
8 (b) A public water system is in violation of the total coliform MCL  
9 [maximum contaminant level] when any of the following  
10 occurs:

11  
12 (1) For a public water system which collects at least 40  
13 samples per month, more than 5.0 percent of the  
14 samples collected during any month are total coliform-  
15 positive; or

16  
17 (2) For a public water system which collects fewer than 40  
18 samples per month, more than one sample collected  
19 during any month is total coliform-positive; or

20  
21 (3) Any repeat sample is fecal coliform-positive or E. coli-  
22 positive; or

23  
24 (4) Any repeat sample following a fecal coliform-positive  
25 or E. coli-positive routine sample is total coliform-  
26 positive.  
27



1 **STATEMENT OF FACTS**

2 The Elk Creek Community Services District (District) domestic water system is  
3 classified as a community water system serving approximately 300 year-round  
4 residents through 90 service connections. As such, the District is required to collect  
5 one routine bacteriological sample per month according to Section 64423 of Title 22.  
6 On September 9, 2013, the District collected one routine sample from the distribution  
7 system; it contained total coliform bacteria. On September 10, 2013, four repeat  
8 samples were collected from the distribution system, all of which contained total  
9 coliform bacteria. The operator then realized his chlorine bottle, used to disinfect  
10 sample taps, had been left unattended in the presence of some children and was no  
11 longer sanitary. He corrected the situation and on September 11, 2013, collected  
12 special coliform samples from the four repeat monitoring locations; all of these  
13 samples came back with no coliform detected. None of the samples that contained  
14 total coliform bacteria tested positive for E. coli.

15  
16 **DETERMINATIONS**

17 The Department has determined that the District violated Section 64426.1(b)(2), Title  
18 22, of the CCR, in that the District exceeded the total coliform MCL during the month  
19 of May 2013

20  
21 **DIRECTIVES**

22 The District is hereby directed to take the following actions:

- 23  
24 1. Comply with Section 64426.1, Title 22, of the CCR in all future monitoring  
25 periods.  
26  
27



1 2. Within 30 days of the issuance of this Citation, notify all persons served by the  
2 District of the MCL violation as required by Section 64463.4 and Section  
3 64465, Title 22, of the CCR. Notification shall be completed in accordance with  
4 each of the following:

5  
6 a. Mail or direct delivery of the notice contained in Attachment 'A' to each  
7 customer receiving a bill including those that provide their drinking  
8 water to others (e.g., schools or school systems, apartment building  
9 owners, or large private employers), and other service connections to  
10 which water is delivered by the District.

11  
12 b. Provide the notice contained in Attachment 'A' to customers using one  
13 or more of the following methods to reach persons not likely to be  
14 reached by a public posting:

- 15  
16 i. Publication in a local newspaper,  
17 ii. Posting in conspicuous public places within the service area,  
18 iii. Posting on the Internet, or  
19 iv. Delivery to community organizations.

20  
21 Changes and/or modifications to Attachment 'A' shall be not be made  
22 unless approved by the Department.

23  
24 3. Complete and return Attachment 'B' "Certification of Completion of Public  
25 Notification" form within 10 days of giving public notice. A copy of the notice  
26 used to provide public notification shall be attached to the form.  
27



1 All documents required by this Citation to be submitted to the Department shall be  
2 submitted to the following address:

3  
4 Reese B. Crenshaw, P. E.  
5 Valley District Engineer  
6 Drinking Water Field Operations  
7 Division of Drinking Water and Environmental Management  
8 Department of Public Health  
9 364 Knollcrest Drive, Suite 101  
10 Redding, CA 96002  
11 (530) 224-4800  
12

13 Nothing in this Citation relieves the District of its obligation to meet the requirements  
14 of Health and Safety Code, Division 104, Part 12, Chapter 4 (California Safe Drinking  
15 Water Act), or any regulation, permit, standard or order issued or adopted  
16 thereunder.

17  
18 The Department reserves the right to make such modifications to this Citation, as it  
19 may deem necessary to protect public health and safety. Such modifications may be  
20 issued as amendments to this Citation and shall be effective upon issuance.

21  
22 **FURTHER ENFORCEMENT ACTION**

23 Division 104, Part 12, Chapter 4, (commencing with section 116270) of the California  
24 Health and Safety Code authorizes the Department to: issue additional citations with  
25 assessment of penalties if the District continues to fail to correct a violation identified  
26 in a citation; take action to suspend or revoke a permit that has been issued to a  
27 public water system if the system has violated applicable law or regulations or has




1 failed to comply with orders of the Department; and petition the superior court to take  
2 various enforcement measures against a public water system that has failed to  
3 comply with orders of the Department. The Department does not waive any further  
4 enforcement action by issuance of this Citation.

5  
6 **PARTIES BOUND**

7 This Citation shall apply to and be binding upon the District, its officers, directors,  
8 agents, employees, contractors, successors, and assignees.

9  
10 **SEVERABILITY**

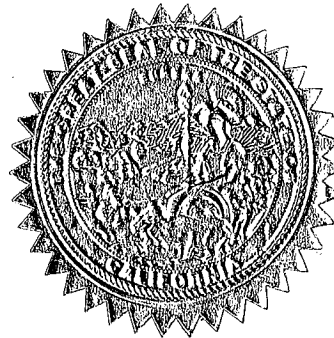
11 The directives of this Citation are severable, and the District shall comply with each  
12 and every provision thereof notwithstanding the effectiveness of any other provision.

13   
14 \_\_\_\_\_  
15 Reese B. Crenshaw, P.E., District Engineer  
16 Valley District  
17 Drinking Water Field Operations Branch

10/11/13  
\_\_\_\_\_  
Date

18 **Attachments:**

- 19 'A' Public Notification Template  
20 'B' Certification of Completion  
21  
22  
23  
24  
25  
26  
27





## IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

Este informe contiene información muy importante sobre su agua potable.

Tradúzcalo o hable con alguien que lo entienda bien.

### Elk Creek CSD Had Levels of Coliform Bacteria Above the Drinking Water Standard

Our water system recently violated a drinking water standard. Although this was not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

We routinely monitor for drinking water contaminants. We took nine (9) samples to test for the presence of coliform bacteria during September 2013. Five (5) of the samples showed the presence of total coliform bacteria. The standard is that no more than one (1) sample per month may do so.

#### What should I do?

- **You do not need to boil your water or take other corrective actions.**
- This is not an emergency. If it had been, you would have been notified immediately. Total coliform bacteria are generally not harmful themselves. *Coliforms are bacteria which are naturally present in the environment and are used as an indicator that other, potentially-harmful, bacteria may be present. Coliforms were found in more samples than allowed and this was a warning of potential problems.*
- Usually, coliforms are a sign that there could be a problem with the system's treatment or distribution system (pipes). Whenever we detect coliform bacteria in any sample, we do follow-up testing to see if other bacteria of greater concern, such as fecal coliform or *E. coli*, are present. **We did not find any of these bacteria in our subsequent testing, and further testing shows that this problem has been resolved.**
- People with severely compromised immune systems, infants, and some elderly may be at increased risk. These people should seek advice about drinking water from their health care providers. General guidelines on ways to lessen the risk of infection by microbes are available from U.S. EPA's Safe Drinking Water Hotline at 1(800) 426-4791.
- If you have other health issues concerning the consumption of this water, you may wish to consult your doctor.

**What happened? What was done?**

We believe coliform bacteria detected in September 2013 were present due to contamination of the sample tap (the chlorine bottle used to decontaminate the sample tap prior to sampling apparently contained only water and no chlorine) and that the detected bacteria did not come from the water system.

For more information, please contact the manager, Arnold Kjer at (530) 865-8890 or at Space 34.

*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this public notice in a public place or distributing copies by hand or mail.*

This notice is being sent to you by the Elk Creek CSD Water System.

State Water System ID#: 1100616. Date distributed: \_\_\_\_\_.

## CERTIFICATION OF COMPLETION OF PUBLIC NOTIFICATION

This form when completed and returned to the Division of Drinking Water and Environmental Management (364 Knollcrest Drive, Suite 101, Redding, CA 96002 or fax to 530-224-4844), serves as certification that public notification to water users was completed as required by the California Water Quality and Monitoring Regulations. Completing public notification and providing the Department with certification is important. Failure to do so will result in additional hourly time charges to your water utility and may result in a formal enforcement action with monetary penalties.

**Public Water System Name** \_\_\_\_\_ Elk Creek CSD \_\_\_\_\_

**Public Water System No.** \_\_\_\_\_ 1100616 \_\_\_\_\_

Public notification for the May 2013 bacteriological failure was performed by the following method(s):

**(CHECK AND COMPLETE ONLY THOSE THAT APPLY)**

\_\_\_\_\_ The notice was published in the local newspaper on \_\_\_\_\_. A copy of the newspaper notice is attached.

\_\_\_\_\_ The notice was mailed to users on \_\_\_\_\_. A copy of the notice is attached.

\_\_\_\_\_ The notice hand delivered to water customers on \_\_\_\_\_. A copy of the notice is attached.

\_\_\_\_\_ The attached notice was posted in the following conspicuous places:

\_\_\_\_\_  
\_\_\_\_\_

For this method, provide the date (or dates) that the notice was posted \_\_\_\_\_.

I hereby certify that the above information is factual.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date